

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

GORDON JOHNSON,

Plaintiff,

v.

MILWAUKIE CITY HALL, ANGELA
BRADENBURG, JOHN D WENTWORTH,
ANDREW ELLIOT, MARYANNE MEANIE,
ALEX FLETCHER, CLACKAMAS INDIGENT
DEFENSE CORPORATION, KYLE SCOTT,
DAVID FOOLADJOSH, DEPUTY SLINGER,
MILWAUKIE POLICE DEPARTMENT,
CLACKAMAS COUNTY JAIL, and JANE E
VETO,

Defendants.

Case No.: 3:23-cv-01979-JR

ORDER

Adrienne Nelson, District Judge

United States Magistrate Judge Jolie A. Russo issued a Findings and Recommendation in this case, ECF [44], on February 21, 2025. Judge Russo recommended that this Court grant three motions to dismiss filed by, respectively, defendants John D. Wentworth; Milwaukie Police Department and Milwaukie City Hall (collectively, "City Defendants"); and Angela Brandenburg, Kyle Scott, David Fooladjoush, Justin Slinger, Jane E. Vetto, and Clackamas County Jail (collectively, "County Defendants"). No party has filed objections.


A district court judge may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). If any party files objections to a magistrate judge's proposed findings and recommendations, "the court shall make a de novo determination of those portions of the report." *Id.* No standard of review is prescribed for portions of the report for which no objections are filed, and no review is required in the absence of objections. *Thomas v. Arn*, 474 U.S. 140, 152-54 (1985). A district judge is not, however, precluded from *sua sponte* review of other portions

of the report, under a *de novo* standard or otherwise. *Id.* at 154. The Advisory Committee notes to Federal Rule of Civil Procedure 72(b) recommend that unobjected to proposed findings and recommendations be reviewed for "clear error on the face of the record." Fed. R. Civ. P. 72(b) advisory committee's note to 1983 amendment.

Because no party in this case has made objections, this Court reviews Judge Russo's Findings and Recommendation for clear error on the face of the record. Finding no such error, the Court ADOPTS Judge Russo's Findings and Recommendation, ECF [44], in full. Defendant John D. Wentworth's Motion to Dismiss, ECF [22]; the City Defendants' Motion to Dismiss, ECF [23]; and the County Defendants' Motion to Dismiss, ECF [41], are GRANTED. Plaintiff's claims against defendants John D. Wentworth, Milwaukie City Hall, Milwaukie Police Department, Angela Brandenburg, Kyle Scott, David Fooladjoush, Justin Slinger, Jane E. Vetto, and Clackamas County Jail are DISMISSED with prejudice. Any motion to amend the complaint in relation to plaintiff's 2023 detainment at Clackamas County Jail must be filed within thirty days of this Order.

IT IS SO ORDERED.

DATED this 27th day of March, 2025.



Adrienne Nelson
United States District Judge